# House File 630 - Introduced

HOUSE FILE 630
BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HF 406)

## A BILL FOR

- 1 An Act relating to human trafficking and providing penalties.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 1 Section 1. Section 710A.2, Code 2023, is amended to read as 2 follows:
- 3 710A.2 Human trafficking.
- 4 l. A person who knowingly engages in human trafficking is
- 5 guilty of a class "D" "B" felony, except that if the victim is
- 6 under the age of eighteen, the person is guilty of a class "C"
- 7 "A" felony.
- 8 2. A person who knowingly engages in human trafficking by
- 9 causing or threatening to cause serious physical injury to
- 10 another person is guilty of a class "C" "A" felony, except
- 11 that if the victim is under the age of eighteen, the person is
- 12 guilty of a class "B" felony.
- 3. A person who knowingly engages in human trafficking by
- 14 physically restraining or threatening to physically restrain
- 15 another person is guilty of a class "D" "B" felony, except
- 16 that if the victim is under the age of eighteen, the person is
- 17 guilty of a class "C" "A" felony.
- 18 4. A person who knowingly engages in human trafficking by
- 19 soliciting services or benefiting from the services of a victim
- 20 is guilty of a class  $\begin{cases} \begin{cases} \beq$
- 21 is under the age of eighteen, the person is guilty of a class
- 22 "C" "A" felony.
- 23 5. A person who knowingly engages in human trafficking by
- 24 abusing or threatening to abuse the law or legal process is
- 25 guilty of a class "D" "B" felony, except that if the victim is
- 26 under the age of eighteen, the person is guilty of a class "C"
- 27 "A" felony.
- 28 6. A person who knowingly engages in human trafficking by
- 29 knowingly destroying, concealing, removing, confiscating, or
- 30 possessing any actual or purported government identification of
- 31 another person is guilty of a class "D" "B" felony, except if
- 32 that other person is under the age of eighteen, the person is
- 33 guilty of a class "C" "A" felony.
- 34 7. A person who benefits financially or by receiving
- 35 anything of value from knowing participation in human

- 1 trafficking is guilty of a class "D" "B" felony, except that if
- 2 the victim is under the age of eighteen, the person is guilty
- 3 of a class "C" "A" felony.
- 4 8. A person who knowingly engages in human trafficking
- 5 by knowingly providing or facilitating the provision of a
- 6 forged, altered, or fraudulent license purportedly issued
- 7 pursuant to chapter 152C or 157, or a forged, altered, or
- 8 fraudulent government identification to another person, to
- 9 force, coerce, entice, assist, facilitate, or permit the other
- 10 person to perform labor or services is guilty of an aggravated
- 11 misdemeanor a class "D" felony, except if that other person is
- 12 under the age of eighteen, the person is guilty of a class "D"
- 13 "B" felony.
- 9. A person who knowingly engages in human trafficking
- 15 by knowingly forcing, coercing, enticing, assisting,
- 16 facilitating, or permitting another person in possession of
- 17 a forged, altered, or fraudulent license purportedly issued
- 18 pursuant to chapter 152C or 157, or a forged, altered, or
- 19 fraudulent government identification, to produce such license
- 20 or government identification upon request of a peace officer
- 21 pursuant to section 152C.5B or 157.4A, is guilty of an
- 22 aggravated misdemeanor a class "D" felony, except if that other
- 23 person is under the age of eighteen, the person is guilty of a
- 24 class "D" "B" felony.
- 25 10. A person's ignorance of the age of the victim or
- 26 a belief that the victim was older is not a defense to a
- 27 violation of this section.
- 28 11. A person who is found guilty  $\tau$  or who enters a plea of
- 29 guilty, receives a deferred judgment, or receives a deferred or
- 30 suspended sentence for to a violation of this chapter shall be
- 31 ineligible for a license pursuant to chapter 152C or 157 for a
- 32 period of not less than five years from the date of conviction,
- 33 plea, judgment, or sentence.
- 34 12. A person who is sentenced under the provisions of this
- 35 section shall not be eligible for a deferred judgment or a

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- 1 deferred or suspended sentence.
- 2 Sec. 2. Section 907.3, subsection 1, paragraph a, Code 2023,
- 3 is amended by adding the following new subparagraph:
- 4 NEW SUBPARAGRAPH. (15) The offense is a violation of
- 5 section 710A.2.
- 6 Sec. 3. Section 907.3, subsection 2, paragraph a, Code 2023,
- 7 is amended by adding the following new subparagraph:
- 8 NEW SUBPARAGRAPH. (9) The offense is a violation of section
- 9 710A.2.
- 10 Sec. 4. Section 907.3, subsection 3, Code 2023, is amended
- 11 by adding the following new paragraph:
- 12 NEW PARAGRAPH. h. A sentence imposed pursuant to section
- 13 710A.2.
- 14 EXPLANATION
- The inclusion of this explanation does not constitute agreement with
- the explanation's substance by the members of the general assembly.
- 17 This bill relates to human trafficking.
- 18 Current law provides for penalties for a human trafficking
- 19 crime committed in violation of Code section 710A.2 ranging
- 20 from an aggravated misdemeanor to a class "C" felony depending
- 21 on the elements of the crime alleged and the age of the
- 22 victim. Current law also allows for a deferred judgment or a
- 23 deferred or suspended sentence for a person who commits a human
- 24 trafficking crime.
- 25 The bill increases the penalties imposed for a human
- 26 trafficking crime listed in Code section 710A.2. The penalties
- 27 imposed range from a class "D" felony to a class "A" felony.
- 28 The bill provides that a person who is sentenced for a human
- 29 trafficking crime shall not be eligible for a deferred judgment
- 30 or a deferred or suspended sentence.
- 31 The bill provides that a person who knowingly engages in
- 32 human trafficking is guilty of a class "B" felony, except
- 33 that if the victim is under the age of 18, the person is
- 34 guilty of a class "A" felony. If the offense involves causing
- 35 or threatening to cause serious physical injury to another

l person, the person is guilty of a class "A" felony. A person 2 who knowingly engages in human trafficking by physically 3 restraining or threatening to physically restrain another 4 person is guilty of a class "B" felony, except that if the 5 victim is under the age of 18, the person is guilty of a class 6 "A" felony. The bill provides that a person who knowingly engages in 8 human trafficking who solicits services or benefits from the 9 services of a victim is guilty of a class "B" felony, except 10 that if the victim is under the age of 18, the person is guilty 11 of a class "A" felony. A person who knowingly engages in 12 human trafficking who abuses or threatens to abuse the law or 13 legal process is guilty of a class "B" felony, except that if 14 the victim is under the age of 18, the person is guilty of a 15 class "A" felony. A person who knowingly engages in human 16 trafficking by knowingly destroying, concealing, removing, 17 confiscating, or possessing any actual or purported government 18 identification of another person is guilty of a class "B" 19 felony, except that if the other person is under the age of 20 18, the person is guilty of a class "A" felony. A person who 21 benefits financially or by receiving anything of value from 22 knowing participation in human trafficking is guilty of a class 23 "B" felony, except that if the victim is under the age of 18, 24 the person is guilty of a class "A" felony. A person who knowingly engages in human trafficking by 26 knowingly providing or facilitating the provision of a forged, 27 altered, or fraudulent license, or a forged, altered, or 28 fraudulent government identification to another person, to 29 force, coerce, entice, assist, facilitate, or permit the other 30 person to perform labor or services or to produce such license 31 or government identification upon request of a peace officer is 32 guilty of a class "D" felony, except that if the other person 33 is under the age of 18, the person is guilty of a class "B"

A class "A" felony is punishable by confinement for

34 felony.

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- 1 life without possibility of parole. A class "B" felony is
- 2 punishable by confinement for no more than 25 years. A class
- 4 years and a fine of at least \$1,370 but not more than \$13,660.
- 5 A class "D" felony is punishable by confinement for no more
- 6 than five years and a fine of at least \$1,025\$ but not more than
- 7 \$10,245.
- 8 The bill makes conforming Code changes relating to deferred
- 9 judgments, and deferred or suspended sentences.